

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

740-X02-007

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/049,558

INTERNATIONAL APPLICATION NO.
PCT/EP00/06109INTERNATIONAL FILING DATE
30 June 2000PRIORITY DATE CLAIMED
14 August 1999TITLE OF INVENTION
ARTIFICIAL TEAR REPLACEMENT SOLUTION

APPLICANT(S) FOR DO/EO/US

Dirk-Henning MENZ, Joachim DRESP and Martin WINTER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
14. A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:

COPY OF NOTIFICATION OF MISSING REQUIREMENTS
POSTCARD & EXPRESS MAIL CERTIFICATE

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
10/049,558INTERNATIONAL APPLICATION NO
PCT/EP00/06109ATTORNEY'S DOCKET NUMBER
740-X02-00721. The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **\$1040.00**International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO **\$890.00**International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$740.00**International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$710.00**International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) **\$100.00****ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS PTO USE ONLY**Surcharge of **\$130.00** for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	34 - 30 =	0	x \$18.00	\$
Independent claims	3 - 3 =	0	x \$84.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$
+				
SUBTOTAL =				\$
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
TOTAL NATIONAL FEE =				\$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40.00
TOTAL FEES ENCLOSED =				\$ 40.00
				Amount to be refunded: \$
				charged: \$

- A check in the amount of \$ _____ to cover the above fees is enclosed.
- Please charge my Deposit Account No. 500601 in the amount of \$ \$40.00 to cover the above fees. A duplicate copy of this sheet is enclosed. Filing Fee and surcharge for late filing of declaration previously submitted.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 500601. A duplicate copy of this sheet is enclosed.
- Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

MARTIN FLEIT
Fleit, Kain, Gibbons, Gutman & Bongini P.L.
520 Brickell Key Drive #A201
Miami, FL 33131

Tel (305) 536-9020; Fax (305) 536-9022
Email mfleit@fleitkain.com



SIGNATURE

Martin Fleit By: Paul D. Bianco Reg# 43,500

NAME

16,900

REGISTRATION NUMBER

PATENT

Attorney Docket No.: 740-X02-007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant/Inventor: Dirk-Henning MENZ et al..

Application No.: 10/049,558

NATIONAL STAGE FILING OF PCT/EP00/06109 Group Art Unit:

Filed: February 14, 2002 Examiner:

For/Title: ARTIFICIAL TEAR REPLACEMENT SOLUTION

CERTIFICATE OF EXPRESS MAILING

PATENTS

EXPRESS "Express Mail" Mailing Label number EV 104291709 US

Date of Deposit June 26, 2002

I hereby certify that the attached paper(s) or fee(s) is/are being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner of Patents & Trademark, Washington D.C. 20231.



(Signature of person mailing paper or fee)

PAUL D. BIANCO

(Typed or printed name of person mailing paper or fee)